

REMARKS

This Application has been carefully reviewed in light of the Office Action dated July 17, 2003. In order to advance prosecution of this Application, Claim 1 has been amended. Applicant respectfully requests reconsideration and favorable action for this Application.

Claims 1-7 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-8 of U.S. Patent No. 6,415,315 in view of Claims 1-15 of U.S. patent No. 6,389,452. Attached herewith is a Terminal Disclaimer to overcome this rejection.

Claims 1-7 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-19 of copending U.S. Application Serial No. 09/451,495 in view of U.S. Patent No. 5,396,630. Applicant respectfully traverses this rejection. The present Application has an effective filing date of November 25, 1998 and claims benefit to Provisional Application No. 60/068,031 filed December 1, 1997. U.S. Application Serial No. 09/451,495 has an effective filing date of November 30, 1999. Thus, the present Application fully pre-dates by more than one year U.S. Application Serial No. 09/451,495. Thus, U.S. Application Serial No. 451,495 cannot be used to support any rejection of the claims in the present Application.

Claims 1, 5, and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Black, et al. in view of La Porta, et al. Independent Claim 1 recites ". . . re-routing the message from the forwarder object to the first object at the new position." By contrast, the Examiner readily admits that the Black, et al. does not teach the generation of a forwarder object as provided in the claims. The Examiner cites the La Porta, et al. patent to support the use of a forwarder object. However, the La Porta, et al. patent merely discloses the use of a stub process that buffers messages arriving while its

user process is migrating to a new location. Once the user process has reached the new location, it requests any and all messages buffered by the stub process. At this point, the stub process exits. Thus, the stub process is not akin to the claimed forwarder object as it does not re-route messages nor is it created after there has been establishment of the process at the new location as required by the claimed invention. Support for the above recitation can be found at page 23, lines 3-6, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 1, 5, and 6 are patentably distinct from the proposed Black, et al. - La Porta, et al. combination.

Claims 2-4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Black, et al. in view of La Porta, et al. and further in view of Banda, et al. Independent Claim 1, from which Claims 2-4 depend, has been shown above to be patentably distinct from the proposed Black, et al. - La Porta, et al. combination. Moreover, the Banda, et al. patent does not disclose any additional information combinable with either of the Black, et al. or La Porta, et al. patents that would be material to patentability of these claims. Therefore, Applicant respectfully submits that Claims 2-4 are patentably distinct from the proposed Black, et al. - La Porta, et al. - Banda, et al. combination.

Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Black, et al. in view of La Porta, et al. and further in view of SOMobject Developer's Toolkit Programmer's Guide. Independent Claim 1, from which Claim 7 depends, has been shown above to be patentably distinct from the proposed Black, et al. - La Porta, et al. combination. Moreover, the SOMobject Developer's Toolkit Programmer's Guide does not disclose any additional information combinable with either of the Black, et al. or La Porta, et al. patents that would be material to patentability of these claims.

Therefore, Applicant respectfully submits that Claim 7 is patentably distinct from the proposed Black, et al. - La Porta, et al. - SOMobject Developer's Toolkit Programmer's Guide combination.

Applicant has now made an earnest attempt to place the Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of Claims 1-7.

The Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,  
BAKER BOTTS L.L.P.

Attorneys for Applicant



Charles S. Fish

Reg. No. 35,870

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Correspondence Address:

2001 Ross Avenue, Suite 600

Dallas, TX 75201-2980

(214) 953-6507

Customer Number: 05073